

Subdivision Plan Preapplication/Sketch Plan Application

A preapplication/sketch plan must be submitted and shall show, in simple sketch form, neatly done, the proposed layout of streets, lots, and other features in relation to existing conditions (Section 213-6.B. and, if a proposed cluster development, Section 140-36). The preapplication/sketch plan shall include the existing data listed below:

	Check when completed	
	Applicant	Applicant
I. SUBDIVISION PLAN DRAWINGS AND MAPS showing or accompanied by the following information:		
A. Subdivision Plan drawings		Sheet #3
1. Number and date all sheets and provide space for revision dates	X	✓
2. Show all dimensions in feet and decimals, drawn to a scale of not more than one hundred (100) feet, preferably forty (40) feet, to the inch	X	✓
3. Layout of lots and other features in relation to location of open drainage courses, wetlands, stone walls, graveyards, fences, stands of trees, and other important or unique natural areas and site features, including but not limited to floodplains, deer wintering areas; significant wildlife habitats, fisheries, scenic areas; habitat for rare and endangered plants and/or animals; unique natural communities and natural areas; sand and gravel aquifers; and historic and/or archaeological resources; together with a written description of such features (Section 213-6.B.)	X	✓
4. Boundary lines (Section 213-6.B.1.)	X	✓
5. Location and width of existing and proposed easements (Section 213-6.B.2.)	X	✓
6. Location, name, and right-of-way width of existing and proposed streets on and adjacent to the property (Section 213-6.B.3.)	X	✓
7. Walks, curbs, gutters, culverts and other known and located underground structures, within and immediately adjacent to property (Section 213-6.B.4.)	X	✓
8. Utilities (Section 213-6.B.5.)	X	✓
a. Location and size of proposed and existing sewer and water mains		✓
b. Location of fire hydrants, electric, and telephone poles	X	✓
c. Location of proposed and existing streetlights	X	✓
9. Soil test data, accompanied by a written description, identified as EXHIBIT 1 , adequate to show that the subsurface soil conditions on the tract will accommodate the proposed development (Section 213-6.B.6.)	X	✓
10. Existing land use on and adjacent to the property (Section 213-6.B.7)	X	
11. Show the entire parcel(s) and zoning on and adjacent to property	X	✓

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plan

Adjacent
Land Use
not shown

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Approved _____
/mended _____

	Check when completed	
	Applicant	Applicant
12. Location of temporary markers adequate to enable the Planning Board to locate readily and appraise the basic layout of the site in the field (Section 213-8.B.13.)	X	
B. Title Block		✓
1. Identify plan as "Subdivision Plan", "Amended" if applicable	X	✓
2. Name of the project (Section 213-6.B.8.)	X	✓
3. Name(s) and address(es) of owner(s) of record and applicant (Section 213-6.B.8.)	X	✓
4. Name(s) and address(es) of plan designer(s)	X	✓
C. Plan References		✓
1. North arrow (using Maine State Grid) (Section 213-6.B.8.)	X	✓
2. Graphic map scale (Section 213-6.B.8.)	X	✓
3. Purpose of existing and proposed easements (Section 213-6.B.2.)	X	✓
4. Names of adjoining property owners (Section 213-6.B.8.)	X	
5. Name(s) and address(es) of plan designer(s)	X	✓
D. Utility Notes		✓
If sewer or water mains are not on or adjacent to the site, indicate the distance to and size of nearest mains (Section 213-6.B.5.)	X	✓
E. Additional Information Notes		✓
Any additional or general plan notes	X	✓
II. GENERAL INFORMATION		
A. Existing zone(s) of the site: <u>Contract</u>	X	✓
Shoreland District Yes <u>X</u> No <u> </u> Type <u> </u>	X	✓
Overlay District Yes <u> </u> No <u> </u> Type <u> </u>	X	NA
Contract Yes <u>X</u> No <u> </u> Date Approved <u>6/01/05</u>	X	✓
B. Attach, as <u>EXHIBIT 2</u>, summary list and copies of all existing covenants (Section 213-6.C.1.), easements, or other burdens for this property. Reference each easement to the plan or drawing on which it is shown.	X	✓
C. Attach, as part of <u>EXHIBIT 1</u>, a medium intensity standard soil survey (Section 213-6.C.2.)	X	
D. Attach, as <u>EXHIBIT 3</u>, a written description of available community facilities and utilities (Section 213-6.C.3.)	X	✓
III. PROJECT DESCRIPTION		
A. Attach, as <u>EXHIBIT 4</u>, a written description of the overall project, including number of lots, typical lot width and depth, price range, business areas, playgrounds, park areas, other public areas, proposed protective covenants, and proposed utilities and street improvements (Section 213-6.C.4.)	X	✓
B. Name, approval date, amendment date, and lot number (if applicable) of previously approved subdivision (if applicable)	NA	NA

Measure
of
Status

See Exhibit
1

VIL_RESP01542

Approved _____
Amended _____

4. Subdivision Application Plan to Application Subdivision Plan

TOWN OF WINDHAM, MAINE
SITE PLAN APPLICATION FORM – Preapplication/Sketch Plan
(Ordinance Section 140-38 A-C)


The preapplication/sketch plan application shall include fifteen (15) copies of each plan, map, or drawing, and any related information, which shall be printed or reproduced on paper.

	Check when completed	
	Applicant	Staff
Name of Applicant: HRC – Village at Little Falls, LLC. c/o Steve Etzel	X	✓
Mailing Address: 2 Market Street, Portland, Maine 04101	X	✓
Phone: 207-772-7219	X	✓
FAX: 207-772-7011	X	✓
Email: setzel@questorco.com	X	✓
Name of Project: Village at Little Falls	X	✓
Street Address: Route 202, Windham, Maine	X	✓
Proposed Use: Residential Condominiums	X	✓
Amendment to previously approved site plan? Yes _____ No <u>X</u>	X	✓
Total acreage of parcel(s): 8.03 ac	X	✓
Zone (check all that apply)	X	✓
<input type="checkbox"/> Resource Protection <input checked="" type="checkbox"/> General Shoreland Development		
<input type="checkbox"/> Limited Residential <input checked="" type="checkbox"/> Stream Protection		
<input type="checkbox"/> Aquifer Protection Overlay <input type="checkbox"/> Industrial Park Overlay		
<input type="checkbox"/> Farm <input type="checkbox"/> Farm Residential		
<input type="checkbox"/> Light Density Residential <input type="checkbox"/> RM Medium Residential		
<input type="checkbox"/> Commercial I <input type="checkbox"/> Commercial II		
<input type="checkbox"/> Commercial III <input type="checkbox"/> Industrial		
<input type="checkbox"/> Enterprise Development <input checked="" type="checkbox"/> Contract; Date Approved 6/01/05		
Conditional Use Yes _____ No <u>X</u>	X	✓
Special Exception Yes _____ No <u>X</u>	X	✓
The Town will correspond with only one contact person/agent for this project. Please provide the requested information regarding the contact person/agent.		
Contact person/agent: Northeast Civil Solutions, Inc. c/o Lee Allen, PE	X	✓
Mailing Address: 153 US Route One, Scarborough, Maine 04074	X	✓
Phone: 207-883-1000	X	✓
Cell: 207-210-7726	X	✓
FAX: 207-883-1001	X	✓
Email: lee.allen@northeastcivilsolutions.com	X	✓

VIL_RESP01544

Approved _____
Initialed _____

– to be initialed by the Planning Board

I certify that I received and read the PLANNING BOARD APPLICATION PROCEDURES AND REQUIREMENTS and that all the information in this application form and accompanying materials is true and accurate to the best of my knowledge.		
Signature of Applicant (If signed by applicant's agent, provide written documentation of authority to act on behalf of applicant.) 	X	✓
Print or type name and title of signer Lee Allen, P.E. Project Manager	X	✓
Date Prepared March 2, 2007	X	✓

Site Plan Preapplication/Sketch Plan EXHIBIT CHECKLIST

Please mark each exhibit in the application as follows:

EXHIBIT	1	Project Description - See SD- Ex #4
EXHIBIT	2	Covenants and Easements - SD Ex. #2 + Sheet 3
EXHIBIT	3	Access to the Property ✓
EXHIBIT	4	Soils - See Exhibit #1 of SD
EXHIBIT	5	Right, Title, or Interest - See Ex. #6 of SD
EXHIBIT	6	Corporate or Partnership Status - See Ex. #7 of SD
EXHIBIT	7	Community Facilities and Utilities - See Ex. #3 of SD

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Site Plan Preapplication/Sketch Plan Application

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	Check when completed	
	Applicant	Staff
I. PROJECT DESCRIPTION		
Attach, as EXHIBIT 1 , a written description of the overall project, including:	X	✓
A. objectives and proposed uses of property		
B. name, approval date, amendment date, and lot numbers of previously approved subdivision the site plan is in (if applicable)	X	NA
C. Assessor's Office Tax Map(s) and Lot Number(s)	X	✓
D. Existing land use	X	✓
II. Section 140-38.A.1-8.		
A. Boundary lines	X	✓
B. Attach, as EXHIBIT 2 , summary list and copies of all existing covenants, easements, or other burdens for this property. Reference each easement to the plan or drawing on which it is shown.	X	✓
C. Show the entire parcel(s), plus streets, private ways or roads, on and adjacent to property. Include name and right-of-way width and location on any property proposed for development. If access to the site is proposed on or off a private way or private road, attach, as EXHIBIT 3 , a title opinion, meeting generally acceptable standards, proving right of access to the site.	X	NA
D. Walks, curbs, gutters, culverts and other known and located underground structures, within and immediately adjacent to property	X	✓
E. Existing utilities on or adjacent to the tract:	X	
1. Location and size of all proposed and existing sewer and water mains. If mains are not on or adjacent to the site, indicate the distance to and size of nearest mains.		✓
2. Location of fire hydrants, electric, and telephone poles	X	✓
3. Location of proposed and existing streetlights	X	✓
4. Location of proposed and/or existing water or sewer lines. If proposed and/or existing water and sewer mains are not on or adjacent to the tract, indicate the distance to and size of nearest ones.	X	✓
5. Location of existing and proposed wells, septic systems, and subsurface drainage systems on and adjacent to property	X	
F. Attach as EXHIBIT 4 a medium intensity soils report, including a written description of soil test data and interpretation of engineering properties that show conditions on the property will accommodate the proposed development.	X	

See SD
Exhibit
#1

VIL_RESP01546

Approved _____
Signed _____

Date _____

	Check when completed	
	Applicant	Staff
III. SITE PLAN DRAWINGS AND MAPS showing or accompanied by the following information:		
A. Site Plan drawings		
1. Number and date all sheets (Section 140-38.A.9.) and provide space for revision dates	X	✓
2. Show all dimensions in feet and decimals, drawn to a scale of not more than one hundred (100) feet, preferably forty (40) feet, to the inch	X	✓
B. Title Block	X	✓
1. Identify plan as "Site Plan", "Amended" if applicable	X	✓
2. Name of the project (Section 140-38.A.8.)	X	✓
3. Name(s) and address(es) of owner(s) of record and applicant (Section 140-38.A.9.)	X	✓
4. Name(s) and address(es) of plan designer(s)	X	✓
C. Plan References		
1. North arrow (using Maine State Grid) (Section 140-38.A.9.)	X	✓
2. Graphic map scale (Section 140-38.A.9.)	X	✓
D. Zoning Notes		✓
1. Zoning district(s). If site is transected by a zone line or if zone line is within fifty (50) feet of the boundaries of the site, designation of that zone line.	X	
2. Total land area of property in number of square feet and in acres	X	
E. Natural Resource Notes		
Notes regarding important or unique natural areas and site features.	X	✓
F. Utility Notes		
1. Notes regarding utilities serving or proposed for the site	X	✓
2. Show the entire parcel(s), plus owner(s), land use, and zoning on and adjacent to property	X	
G. Additional Information Notes		
Any additional or general plan notes	X	✓
H. Location, dimensions, and shape of existing and proposed buildings (Section 140-38.B.)	X	
I. Location and dimensions of parking areas, loading and unloading facilities, driveways, fire lanes, and access points (Section 140-38.B.)	X	✓
J. Location of existing covenants (Section 140-38.B.1.)	X	✓
K. Soils, described in EXHIBIT 4 above (Section 140-38.B.2.)	X	✓
L. Available community facilities and utilities (Section 140-38.B.3.)	X	✓
M. Location of temporary markers adequate to enable the Planning Board to locate readily and appraise basic layout in the field (Section 140-38.A.10.)	X	

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Proposed Elevations not Submitted

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Approved
Amended

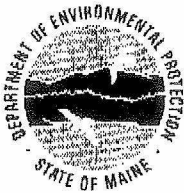
Submitted for Review

	Check when completed	
	Applicant	Staff
IV. LOCATION MAP		
A location map:	X	
A. drawn at scale of not more than four hundred (400) feet to the inch to show the relation of the proposed site plan to the adjacent properties and the general surrounding area within two hundred fifty (250) feet of property lines of the site (Section 140-38.C.)		
B. existing subdivisions and tract lines (Section 140-38.C.)	X	NA
C. location, widths, and names of existing, filed, or proposed streets, easements, building lines, and alleys on-site and on adjacent properties	X	
D. names of adjoining property owners (Section 140-38.A.9.)	X	
E. boundaries and designations of parks and other public spaces (Section 140-38.C.)	X	NA
F. outline of site plan and its street system and an indication of the future probable street system for remainder of tract, if the site plan covers only part of applicant's holding (Section 140-38.C.).	X	✓
V. RIGHT, TITLE, OR INTEREST		
A. Name, mailing address, phone, and fax number (if available) of record owner of the site	X	✓
Name HRC – Village at Little Falls	X	✓
Address: 2 Market Street, Portland, Maine 04101	X	✓
Phone: 207-772-7219	X	✓
FAX : 207-772-7011	X	✓
B. Attach, as EXHIBIT 5 , evidence of applicant's right, title, or interest in the site including a complete copy of the:	X	✓
• applicant's deed, financial information may be deleted <u>or</u>		
• applicant's right or interest in the site <u>and</u> the current owner's deed for the site (if not already in applicant's ownership)		
Cumberland County Register of Deeds Book <u>20753</u> Page <u>21</u> and Deeds Book <u>24617</u> Page <u>165</u>	X	✓
C. <u>If</u> applicant is not an individual, attach as EXHIBIT 6 , evidence of corporate or partnership status	X	✓
D. If applicant has interest in abutting property(s), identify by Tax Office's Map and Lot number(s) Map _____ Lot _____ Map _____ Lot _____ Map _____ Lot _____ Map _____ Lot _____	NA	NA
VI. COMMUNITY FACILITIES AND UTILITIES		
Attach, as EXHIBIT 7 , a written description of available community facilities and utilities	X	✓

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VIL_RESP01548



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

H.R.C. – VILLAGE AT LITTLE FALLS, L. L. C.) SITE LOCATION OF DEVELOPMENT ACT
Windham, Cumberland County) NATURAL RESOURCES PROTECTION ACT
VILLAGE AT LITTLE FALLS) WETLAND OF SPECIAL SIGNIFICANCE
L-23637-87-A-N (approval)) WATER QUALITY CERTIFICATION
L-23637-2G-B-N) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 481 *et seq.* and 480-A *et seq.*, and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of H.R.C. – VILLAGE AT LITTLE FALLS, L. L. C. with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. Summary: The applicant proposes to construct an 85-unit condominium development with associated improvements on an 8.03-acre parcel of land. The proposed project includes two 12-unit apartment buildings, nine duplexes, nine porch-style units, 33 townhouse units, and one single-family residence. The proposed project is shown on a set of plans, the first of which is entitled "Cover/Index/Locus Map/Zoning – Village at Little Falls," prepared by Northeast Civil Solutions, and dated June 1, 2007, with a last revision date of July 11, 2007. The project site is located between Depot Street and the Presumpscot River in the Town of Windham.

The proposed project triggers the "structure" threshold of the Site Location of Development Law ("Site Law," 38 M.R.S.A. § 482). The Town of Windham has delegated review authority pursuant to 38 M.R.S.A. § 489-A to conduct Site Law reviews of certain developments that would otherwise require Department review. However, the local reviewing authority requested that the Department review the proposed project.

The applicant is also seeking approval under the Natural Resources Protection Act (N.R.P.A.) to remove an abandoned mill building adjacent to the Presumpscot River and restore the river bank. Since a portion of the building was constructed over the river, this activity will result in the alteration of approximately 4,800 square feet of the river. A majority of the existing wall of the building will be removed, and the area will be regraded to in order to establish a vegetated river bank. A small section of the wall will be left in place to support an existing power plant. Other N.R.P.A. activities proposed by the applicant include filling in a small, artificially-created drainage channel (740 square

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Lee Allen
Northeast Civil Solutions
FAX# 883.1001

VIL_RESP01549

feet) and constructing stormwater outfall pipes within 75 feet, but not below, the 100-year flood elevation of the river.

B. Current Use of Site: An abandoned mill building and associated piles of debris occupy the site. The building was originally used as a pulp mill and later used as a steel mill. It is located directly on the Presumpscot River and is constructed on a pile-type foundation to allow the river to flow under the western end of the building. The building was abandoned in the late 1980's. The site is immediately downstream of an existing hydro-electric dam owned by Sappi, Inc.

2. FINANCIAL CAPACITY:

The total cost of the project is estimated to be \$10,000,000. The applicant stated that the project will be self-financed. Hudson Realty Capital Fund III, L. P. is the owner of HRC – Village at Little Falls, L. L. C. The applicant submitted a Balance Sheet for Hudson Realty Capital Fund III, L. P., dated December 31, 2006, which indicates that the company's total assets are well in excess of the proposed project's cost estimate.

The Department finds that the applicant has demonstrated adequate financial capacity to comply with Department standards.

3. TECHNICAL ABILITY:

The applicant provided a list of projects successfully constructed by the applicant. The applicant also retained the services of Northeast Civil Solutions, a professional engineering firm, to assist in the design and engineering of the project.

The Department finds that the applicant has demonstrated adequate technical ability to comply with Department standards.

4. NOISE:

The Department finds that no regulated sources of noise have been identified.

5. SCENIC CHARACTER:

The project site currently contains a dilapidated industrial building. The building will be removed from the site and the river bank will be restored to a more natural, vegetated state. The proposed development was designed to match the village character of the surrounding neighborhood.

Based on the project's location and design, the Department finds that the proposed project will not have an unreasonable adverse effect on the scenic character of the surrounding area.

6. WILDLIFE AND FISHERIES:

The Maine Department of Inland Fisheries & Wildlife (MDIFW) reviewed the proposed project. In its comments, MDIFW stated that it found no records of any Essential or Significant Wildlife Habitats, or other wildlife habitats of special concern associated with this site.

The project site is located just downriver from an existing housing development and hydroelectric dam. A portion of the land directly adjacent to the Presumpscot River is owned by an abutter, Sappi Paper. A fisheries biologist from MDIFW commented that the Presumpscot River supports a variety of coldwater and warmwater fisheries, including some non-game fish populations. MDIFW recommended that a 100-foot wide vegetated buffer be provided to minimize impacts to the river and protect riparian functions, particularly in the area where the existing mill building is to be removed. The applicant responded to these concerns by revising the plans to provide a minimum 75-foot wide vegetated buffer on the project site. The only permanent structures within the 75-foot buffer will be three stormwater outfall pipes with associated riprap aprons and a portion of a subsurface stormwater system. The applicant submitted a river bank stabilization and planting plan (Sheet L1 of the set of plans referenced in Finding 1, last revised July 11, 2007) depicting the proposed improvements. Given the heavily developed nature of the site; the removal of the mill building, the stabilization of existing erosion problems, and the re-vegetation of the river bank are anticipated to provide immediate and long-term water quality benefits to the fishery.

The buffer will be located in a common area. Once the buffer is stabilized and planted, it should remain undisturbed, and be maintained first by the applicant and subsequently by the condominium owners association. Some disturbance of the buffer may be necessary in the future where a portion of the subsurface stormwater system is located within the buffer in the unlikely event that maintenance of the chamber system is required. However, the isolator row, which will require regular maintenance as discussed in Finding 10, is located outside the buffer.

Prior to occupancy of the first new building, the location of the river buffer must be permanently marked on the ground. The deed for the common area must contain deed restrictions relative to the buffer and have attached to it a plot plan for the area, drawn to scale, that specifies the location of the buffer. Prior to occupancy of the first new building, the applicant must submit a copy of the recorded deed restrictions, including the plot plan, to the BLWQ.

The Department finds that the applicant has made adequate provision for the protection of wildlife and fisheries with the establishment of a 75-foot wide vegetated buffer adjacent to the Presumpscot River.

7. HISTORIC SITES AND UNUSUAL NATURAL AREAS:

The Maine Historic Preservation Commission (MHPC) reviewed the proposed project and requested a Phase II Archaeological Survey of the site. The applicant submitted a report of the survey, prepared by NEA and dated June 2007. MHPC reviewed the report and stated, in a letter dated June 27, 2007, that the proposed project will have no effect upon any structure or site of historic, architectural, or archaeological significance as defined by the National Historic Preservation Act of 1966.

The Maine Natural Areas Program database does not contain any records documenting the existence of rare or unique botanical features on the project site and, as discussed in Finding 6, MDIFW did not identify any unusual wildlife habitats located on the project site.

The Department finds that the proposed development will not have an adverse effect on the preservation of any historic sites or unusual natural areas either on or near the development site.

8. BUFFER STRIPS:

A vegetated buffer adjacent to the Presumpscot River will be established as discussed in Finding 6.

The Department finds that the applicant has made adequate provision for buffer strips.

9. SOILS:

The applicant submitted soil survey information and a geotechnical report based on the soils found at the project site. This report was prepared by a registered professional engineer and reviewed by staff from the Division of Environmental Assessment (DEA) of the Bureau of Land and Water Quality (BLWQ). DEA also reviewed a Blasting Plan (dated March 19, 2007) submitted by the applicant and outlining the proposed procedures for removing ledge material from the project site. The applicant submitted additional information related to the blasting location map. DEA reviewed this additional information and commented that the applicant adequately addressed its concerns.

If a rock crusher will be utilized on site during construction, the applicant must insure that the crusher is licensed by the Department's Bureau of Air Quality and is being operated in accordance with that license.

The Department finds that, based on the soil information, geotechnical report, Blasting Plan, and DEA's review, the soils on the project site present no limitations to the proposed project that cannot be overcome through standard engineering practices.

10. STORMWATER MANAGEMENT:

The proposed project includes approximately 3.1 acres of new impervious area and 7.5 acres of developed area. It lies within the watershed of the Presumpscot River. The applicant submitted a stormwater management plan based on the basic, general, and flooding standards contained in Department Rules, Chapter 500. The proposed stormwater management system consists of 17 bioretention cells and a subsurface soil filter system (Stormtech system with isolator rows).

A. Basic Standards:

(1) Erosion and Sedimentation Control: The applicant submitted an Erosion and Sedimentation Control Plan (Section 14 of the application) that is based on the performance standards contained in Appendix A of Chapter 500 and the Best Management Practices outlined in the Maine Erosion and Sediment Control BMPS, which were developed by the Department. This plan and plan sheets containing erosion control details were reviewed by, and revised in response to the comments of the Division of Watershed Management (DWM) of the Bureau of Land and Water Quality (BLWQ). DWM recommended that the applicant implement a dewatering plan during construction. The plans were revised to include a dewatering plan.

Erosion control details will be included on the final construction plans and the erosion control narrative will be included in the project specifications to be provided to the construction contractor. Prior the start of construction, the applicant must conduct a pre-construction meeting to discuss the construction schedule and the erosion and sediment control plan with the appropriate parties. This meeting must be attended by the applicant's representative, Department staff, the design engineer, and the contractor.

(2) Inspection and Maintenance: The applicant submitted a maintenance plan that addresses both short and long-term maintenance requirements. This plan was reviewed by, and revised in response to the comments of DWM. The maintenance plan is based on the standards contained in Appendix B of Chapter 500. A homeowners' association will be established that will be responsible for the maintenance of all common facilities including the stormwater management system. The Declaration of Covenants and Restrictions for the association was reviewed and found to meet Department requirements. Prior to the formation of the homeowners' association, the applicant will be responsible for all such maintenance

The applicant submitted a draft service contract for the ongoing maintenance of the stormwater management system. Prior to occupancy of the first new building, the applicant must submit a copy of an executed long-term maintenance contract (minimum of 5 years and renewable) for the on-going maintenance of the stormwater control structures to the BLWQ. Storm sewer grit and sediment materials removed from

stormwater control structures during maintenance activities must be disposed of in compliance with the Department's Solid Waste Management Rules.

(3) Housekeeping: The proposed project will comply with the performance standards outlined in Appendix C of Chapter 500.

Based on DWM's review of the erosion and sedimentation control plan and the maintenance plan, the Department finds that the proposed project meets the Basic Standards contained in Chapter 500(4)(A).

B. General Standard: The applicant's stormwater management plan includes general treatment measures that will mitigate for the increased frequency and duration of channel erosive flows due to runoff from smaller storms, provide for effective treatment of pollutants in stormwater, and mitigate potential temperature impacts. This mitigation is being achieved by using Best Management Practices (BMP) that will control runoff from no less than 95% of the impervious area and no less than 80% of the developed area.

The stormwater management system proposed by the applicant was reviewed by, and revised in response to, comments from DWM. After a final review, DWM commented that the proposed stormwater management system is designed in accordance with the Chapter 500 General Standard. DWM recommended that the installation of the stormwater system be inspected by the applicant's design engineer or other qualified professional. Upon completion of the system, the applicant must submit written certification to the BLWQ that it was installed in accordance with the approved plans.

Based on the stormwater system's design and DWM's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500, Basic and General Standards.

C. Flooding Standard:

The applicant is not proposing a formal stormwater management system to detain stormwater from 24-hour storms of 2-, 10-, and 25-year frequency. Instead, since the project site is located adjacent to the Presumpscot River, the applicant requested a waiver from the flooding standard pursuant to Department Rules, Chapter 500(4)(E)(2)(a). DWM commented that, given the site's location and watershed, the proposed system is eligible to receive a waiver from the flooding standard.

Based on the system's design and DWM's review, the Department finds that the applicant has demonstrated that the Chapter 500, Flooding Standard for peak flow from the project site, and channel limits and runoff areas, may be waived for the proposed project.

11. GROUNDWATER: